

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

John Clayton FOSTER, et al.

Serial No.: 09/919,943

Filed: August 02, 2001

For: PASSIVATION OF NITRIDE SPACER



Group Art Unit: 2823

Examiner: Fernando L. Toledo

THE COMMISSIONER FOR PATENTS AND TRADEMARKS
Washington, DC 20231

Dear Sir:

Transmitted herewith is an Response To Restriction Requirement in the above identified application.



No additional fee is required.



Applicant is entitled to small entity status under 37 CFR 1.27



Also attached:

The fee has been calculated as shown below:

| | NO. OF CLAIMS | HIGHEST PREVIOUSLY PAID FOR | EXTRA CLAIMS | RATE | FEE |
|---------------------------------|---------------|-----------------------------|--------------|-----------|--------|
| Total Claims | 8 | 20 | 0 | \$18.00 = | \$0.00 |
| Independent Claims | 2 | 3 | 0 | \$84.00 = | \$0.00 |
| Multiple claims newly presented | | | | | \$0.00 |
| Fee for extension of time | | | | | \$0.00 |
| Total of Above Calculations | | | | | \$0.00 |

Please charge my Deposit Account No. 500417 in the amount of \$0.00. An additional copy of this transmittal sheet is submitted herewith.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 500417, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

MCDERMOTT, WILL & EMERY


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 Date: November 14, 2002

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, DC 20231

Sir:

Noting the Office Action of November 5, 2002 wherein restriction has been required, Applicant(s) hereby elect Group I (claims 1-7) for prosecution in the above-identified application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including

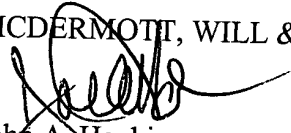
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09/919,943

extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



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